

**MINUTES OF THE REGULAR MEETING OF THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
JULY 18, 2012**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, July 18, 2012, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor Terry Seitz called the meeting to order at 7:01 p.m. The meeting was delayed due to the length of a public hearing held prior to this meeting.

**Roll Call.**

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven of the council members were in attendance; therefore, there was a quorum for the meeting.

**Approve the following minutes:**

1. June 20, 2012, regular Common Council meeting
2. June 20, 2012 public hearing concerning the petition of the Evangelical Lutheran Good Samaritan Society to vacate public rights-of-way and a 10 ft alley in the Summit Heights Addition-this public hearing was continued
3. Memorandum from the June 18, 2012 joint executive session with the Utility Service Board regarding the litigation appeal
4. June 29, 2012 joint emergency meeting with the Utility Service Board regarding a mandatory water conservation declaration
5. July 2, 2012 emergency meeting regarding the prohibition of fireworks
6. July 12, 2012 special meeting extending the prohibition of fireworks

A **motion** was made by Council member Kevin Manley and seconded by Council member Gregory Schnarr to approve the six sets of minutes as presented. Motion carried 7-0.

**Ordinance No. 2012-20 AN ORDINANCE VACATING A PUBLIC UTILITY AND PUBLIC DRAINAGE EASEMENT**

This ordinance vacates a 10 foot public utility and drainage easement located along the south line of Lot No. 10 and a 10 foot public utility and drainage easement located along the north line of Lot No. 11 of Fairway Park Fourth Addition. [Meyer Distributing Inc. petition]

A motion was made by Council member Raymond Howard and seconded by Council member Thomas Schmidt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member David Prechtel to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2012-20 contingent upon the City receiving an executed and recorded maintenance and usage agreement between Meyer Distributing Inc and Lilly Industrial Coating Inc. Motion carried 7-0.

**Ordinance No. 2012-19 AN ORDINANCE VACATING A PUBLIC UTILITY AND PUBLIC DRAINAGE EASEMENT**

This ordinance vacates a public utility and drainage easement along Lot No. 1 of Vonderschmitt's First Addition.

A motion was made by Council member Thomas Schmidt and seconded by Council member Raymond Howard to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Gregory Schnarr to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2012-19. Motion carried 7-0.

**Ordinance No. 2012-21 AN ORDINANCE VACATING THREE PUBLIC RIGHTS-OF-WAY AND TEN FOOT ALLEY**

This ordinance vacates public rights-of-way and a 10 ft alley in the Summit Heights Addition. [Evangelical Lutheran Good Samaritan Society petition]

A motion was made by Council member Thomas Schmidt and seconded by Council member Gregory Schnarr to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Raymond Howard to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Raymond Howard and seconded by Council member Thomas Schmidt to pass and adopt Ordinance No. 2012-21 contingent upon what was discussed and agreed upon at

the public hearing regarding the granting back of easements in the replat. Motion carried 7-0.

**Utility Service Board.** General Manager of Utilities Gerald ‘Bud’ Hauersperger gave a report on the regular monthly Utility Service Board meeting held on July 16, 2012. Copies of the minutes are supplied to each council member.

**Employee retiring.** Mayor Seitz acknowledged the upcoming retirement of Meter Reader Imelda ‘Mel’ Oeding who will be retiring on July 27, 2012 after forty years of service in various positions with the City of Jasper.

**Legal services agreement.** Mayor Seitz presented a Legal Services Agreement between the City of Jasper and the legal firm of Shaneyfelt and Bohnenkemper for \$120 per hour should their services be needed during the transition of the city attorney position. City Attorney Renee Kabrick said the agreement contains language that is consistent with what was discussed and agreed upon at the last meeting.

A **motion** was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to approve the legal services agreement with Shaneyfelt and Bohnenkemper. Motion carried 7-0.

**Resolution No. 2012-6 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA REGARDING A LIST OF EMPLOYEES AS OF JULY 1, 2012**

This resolution adopts a list of employees as of July 1, 2012 as part of the City’s nepotism policy implementation.

A motion was made by Council member Earl Schmitt and seconded by Council member Thomas Schmidt to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to have the resolution read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the resolution. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Earl Schmitt to pass and adopt Resolution No. 2012-6. Motion carried 7-0.

**Ordinance No. 2012-18 AN ORDINANCE AMENDING ORDINANCE NO. 2008-10 ENTITLED AN ORDINANCE FIXING A SCHEDULE OF REVISED RATES AND CHARGES COLLECTED BY THE CITY OF JASPER, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY, AND OTHER MATERS CONNECTED THEREWITH  
(Summer Sewer Discount)**

This ordinance clarifies the formula to calculate the summer sewer discount.

A motion was made by Council member Raymond Howard and seconded by Council member Thomas Schmidt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Randall Buchta to pass and adopt Ordinance No. 2012-18. Motion carried 7-0.

Clerk-Treasurer Juanita Boehm said language in the ordinance needs to be changed to how the summer sewer discounts are actually being calculated and what the intent was when the matter was addressed in Ordinance No. 2010-27. Currently the ordinance says “the customer shall receive a summer sewer credit in the amount of the difference between the actual usage and the winter average usage”. It should say, “...the difference between the actual usage and **110%** of the winter average usage”.

**JCAC.** Jasper Community Arts Commission member Mickey Seger attended the meeting on behalf of the Board. Actors Community Theatre is currently leasing the auditorium area for their performance of the musical play Cinderella.

**Adjournment.** There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Randall Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 7:28 p.m.

The minutes were hereby approved \_\_\_\_\_ with   X   without corrections or clarification this 22<sup>nd</sup> day of August, 2012.

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**Mayor Terry Seitz**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**